

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 4:18CR685
)	
PLAINTIFF,)	JUDGE DAN A. POLSTER
)	
v.)	MOTION FOR EARLY
)	TERMINATION OF PROBATION
ISMAEL CARABALLO,)	
)	
DEFENDANT.)	

The Defendant, ISMAEL CARABALLO, by and through undersigned counsel, requests that his imposed term of probation be terminated early in the above-captioned matter. This motion is made pursuant to the Fed. R. Crim. P. 32.1(c)(1). In support of this motion, the Defendant states as follows:

1. On February 25, 2019, Mr. Caraballo entered a plea of guilty to one-count of Willful Failure to File Return, Supply Information, or Pay Income Tax, in violation of 26 U.S.C. § 7203, a misdemeanor.
2. On June 13, 2019, Mr. Caraballo's Sentencing Hearing was conducted.
3. The Court sentenced and imposed judgement upon Mr. Caraballo that included a three-year term of probation and an order to pay restitution in the amount of \$22,160.00. Mr. Caraballo has paid the restitution in full.
4. Mr. Caraballo has served over 20 months of probation and has under 16 months left on the term.
5. He is eligible for early termination of probation under 18 U.S.C. § 3564(c). Title 18 U.S.C. § 3554(c) provides that, "the court, after considering the factors set forth in section 3553(a) to the extent that they are applicable, may, pursuant to the provisions of

the Federal Rules of Criminal Procedure relating to the modification of probation, terminate a term of probation previously ordered and discharge the defendant at any time in the case of a misdemeanor.”

6. According to Amanda Camberio, Mr. Caraballo’s probation officer, Mr. Caraballo has been a model probationer and has abided by all of the conditions of probation.
7. Mr. Caraballo is 67-years old and is a retired police officer. He is an upstanding citizen who volunteers his time to support members in his community. He would like to travel freely through-out the United States and its territories.
8. It is clear that Mr. Caraballo is not a threat to public safety, and there is no indication that he will ever commit any type of future criminal offense.
9. Furthermore, the sentence imposed reflected the seriousness of the offense, and has promoted respect for the law.
10. Mr. Caraballo asserts that there would be no further purpose served by the United States in the enforcement of federal criminal laws by continuing the term of probation imposed on Mr. Caraballo.
11. Pursuant to Federal Rule of Criminal Procedure 32.1(c)(2), a hearing is not required to terminate Mr. Caraballo’s term of probation.
12. Accordingly, for the foregoing reasons, the Defendant, Mr. Caraballo, respectfully requests that the Court terminate his remaining term of probation.
13. In light of the foregoing circumstances, continuing the term of probation is not required or necessary “to protect the public from further crimes of the Defendant” *see* 18 U.S.C. § 3553(a).

WHEREFORE, in the interest of justice, Mr. Caraballo respectfully requests that this Honorable Court terminate the remainder of his term of probation.

Respectfully submitted,

/s/Robert Duffrin

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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of March 2021, a copy of the foregoing Motion for Early Termination of Probation was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

Respectfully submitted,

/s/Robert Duffrin

Attorney Robert Duffrin #0061784

Attorney for Ismael Caraballo